

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

MONSANTO COMPANY, PHARMACIA, )  
LLC, and SOLUTIA, INC., )  
 )  
Plaintiffs, )

vs. )

MAGNETEK, INC., )  
GENERAL ELECTRIC CO., )  
PARAMOUNT GLOBAL, )  
KYOCERA AVX COMPONENTS )  
CORNELL-DUBILIER ELECTRONICS, INC., )  
and THE GILLETTE COMPANY, LLC, )  
 )  
Defendants. )

CASE NO: 4:23-cv-00204-HEA

**DEFENDANTS GENERAL ELECTRIC COMPANY AND PARAMOUNT GLOBAL'S  
EMERGENCY MOTION TO STAY AND PREVENT TRANSMISSION OF CASE FILE  
TO STATE COURT**

Defendants General Electric Co. (“GE”) and Paramount Global (“Paramount” and together with GE, “Defendants”) move to stay this case and prevent transmission of the case file to state court pending Defendants’ interlocutory appeal of the Court’s remand order. Defendants have a statutory right to appeal the district court’s remand order, which entitles Defendants to an automatic stay of the Court’s remand order. *See* 28 U.S.C. § 1447(d); *Griggs v. Provident Consumer Disc. Co.*, 459 U.S. 56, 58 (1982) (stating that an appeal “divests the district court of its control over those aspects of the case involved in the appeal”). Defendants have filed a supporting memorandum with this motion, which they incorporate by reference.

Accordingly, Defendants request that the Court stay its remand order until the Eighth Circuit resolves Defendants’ appeal.

Dated: February 6, 2024

Respectfully submitted,

/s/ Gerard T. Carmody  
Gerard T. Carmody, #24769MO  
David M. Fedder, #38823MO  
Tyler C. Schaeffer, #60847MO  
Carmody MacDonald P.C.  
120 South Central Avenue, Suite 1800  
St. Louis, MO 63105  
Telephone: 314.854.8600  
Facsimile: 314.854.8660  
Email: gtc@carmodymacdonald.com  
dmf@carmodymacdonald.com  
tcs@carmodymacdonald.com

Yehudah Lev Buchweitz (*Pro Hac Vice*)  
Cameron Mae Bonk (*Pro Hac Vice*)  
Weil, Gotshal & Manges LLP  
767 Fifth Avenue  
New York, NY 10153  
Telephone: 212.310.8256  
Facsimile: 212.310.8007  
Email: yehudah.buchweitz@weil.com  
cameron.bonk@weil.com

C. Michael Evert, Jr. (*Pro Hac Vice*)  
Christopher G. Conley (*Pro Hac Vice*)  
Evert Weathersby Houff  
3455 Peachtree Road NE, Suite 1550  
Atlanta, GA 30326  
Telephone: 678.651.1200  
Facsimile: 678.651.1201  
Email: cmevert@ewhlaw.com  
cgconley@ewhlaw.com

Attorneys for Defendant Paramount Global

Dated: February 6, 2024

Respectfully submitted,

/s/ *Peter W. Herzog*  
Peter W. Herzog III, #36429 (MO)  
Wheeler Trigg O'Donnell LLP  
One Metropolitan Square  
211 N. Broadway, Suite 2825  
St. Louis, MO 63102-2723  
Telephone: 303.244.1800  
Facsimile: 303.244.1879  
Email: pherzog@wtotrial.com

Michael L. O'Donnell (*admitted pro hac vice*)  
Marissa S. Ronk (*admitted pro hac vice*)  
Erik D. Nadolink (*admitted pro hac vice*)  
370 Seventeenth Street, Suite 4500  
Denver, CO 80202-5647  
Telephone: 303.244.1800  
Facsimile: 303.244.1879  
Email:   odonnell@wtotrial.com  
          ronk@wtotrial.com  
          nadolink@wtotrial.com

Attorney for Defendant General Electric Co.

**CERTIFICATE OF SERVICE (CM/ECF)**

I hereby certify that on February 6, 2024, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which sent notification of such filing to all counsel and parties of record who have appeared.

/s/ Gerard T. Carmody